

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

HP INC., a Delaware corporation; and
**HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.**, a Texas limited
partnership,

Plaintiffs,

v.

ZTHY TECH INC., a California corporation;
batterymon16, an entity of unknown form;
ehome007, an entity of unknown form;
elecbrain15, an entity of unknown form;
Idallian, an entity of unknown form; **irelia_jt**,
an entity of unknown form; **lol-electronic**, an
entity of unknown form; **shop-siker**, an entity
of unknown form; **shunwei2014**, an entity of
unknown form; **sunflower-electronic**, an
entity of unknown form; **suntek-wireless**, an
entity of unknown form; **yolanda_dh1**, an
entity of unknown form; and **DOES 1
through 20**,

Defendants.

Case No. 19-7210

**DECLARATION OF ROBERT MUSICK
IN SUPPORT OF EX PARTE
APPLICATION FOR SERVICE BY
EMAIL AND TEMPORARY
RESTRAINING ORDER**

[UNDER SEAL]

I, ROBERT MUSICK, declare as follows:

1. I am the Global Anti-Counterfeiting “ACF” Forensics Manager at HP Inc. (“HP”). I am employed in Houston, Texas. Except as otherwise indicated in this declaration, the facts stated herein are known to me of my own personal knowledge and if called upon to do so, I could and would testify thereto.

2. In the course of my duties as the Global ACF Forensics Manager, I investigate, track, locate, and identify goods sold by third parties that bear counterfeit marks of HP. I have worked for several years analyzing the authenticity of HP’s goods, including AC power adapters and laptop batteries. I am familiar with, among other things, the legitimate AC power adapters and laptop batteries sold bearing HP’s registered trademarks, the type of labeling and coding

used by HP and its suppliers, and the ways in which legitimate, authentic goods may differ from goods not manufactured or authorized by HP.

3. Over the course of HP's investigations, HP counsel has sent me photographs of HP-branded batteries and power adapters that they purchased from various eBay sellers, and requested a determination on whether the items were authentic or counterfeit. I carefully reviewed the photographs of these items.

4. I have determined that the labels that I reviewed are counterfeit. The photographs of the batteries and power adapters that I reviewed contained discrepancies on the product label that would not be found on genuine HP products. The products bore a counterfeit HP mark that is identical or nearly identical to a registered HP trademark, and the products were of the same type of product for which HP trademarks are registered.

5. I have reviewed photographs of the following products sold by Zthy Tech, under its haobattery.9953 eBay seller ID and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
7/14/17	CA06	4910	718676-421	6ADQ03BJZ2DIFD	Counterfeit
12/4/18	NP03XL	43	760944-421	None	Counterfeit
4/19/19	CM03XL	4290	716724-541	None	Counterfeit
4/19/19	VI04 battery	48	756480-541	None	Counterfeit
12/05/19	VI04	3100	756480-541	None	Counterfeit

6. I have reviewed photographs of the following products sold by Zthy Tech, under its omg_1971 eBay seller ID and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
7/14/17	HS04	4.1	728249-241	17D06TSOCR	Counterfeit

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
4/26/19	BP02XL	41	849569-541	6ECNT04BB7XI29	Counterfeit
4/26/19	CM03XL	4290	716724-541	6DJGD12BB9LAXW	Counterfeit
12/5/19	BP02XL	41	849569-541	6ECNT04BB7XI4X	Counterfeit

7. I have reviewed photographs of the following products sold by eBay seller elecbrain15 and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
8/24/17	65W	50-60Hz	463552-001	W92C40IC9BDEC8	Counterfeit
8/24/17	MO06	62	None	201702SK20838	Counterfeit
4/26/19	45W	50-60Hz	740015-001	WDUUV0B3U6XLFR	Counterfeit
4/26/19	OEM 47Wh	4200	462889-542	201707SK30394	Counterfeit
12/5/19	90W	50-60Hz	709966-003	WCNXF0AAR5C33T	Counterfeit

8. I have reviewed photographs of the following products sold by eBay seller sunflower-electronic and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
8/24/17	MO06	62	None	201702SK20568	Counterfeit
1/04/19	NP03XL	43	760944-421	SMHHAA14030	Counterfeit
1/04/19	65W	50-60Hz	709985-001	WBGST0A1R907PD	Counterfeit
5/02/19	NP03XL	43	760944-421	6EEERN2RY7H6W3	Counterfeit

9. I have reviewed photographs of the following product sold by eBay seller batterymon16 and have determined that the products were not manufactured by HP, nor under its authority: :

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
11/9/17	VI04	48	756480-541	17H27LIFE1	Counterfeit

10. I have reviewed photographs of the following products sold by eBay seller ehomed007 and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
6/01/18	PI06	47	None	6DGAHN4RY4LVYB	Counterfeit
6/01/18	MU06	47	586006-253	SMGJTJ00134	Counterfeit

11. I have reviewed photographs of the following products sold by eBay seller shunwei2014 and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
7/17/18	90W	50-60Hz	608428-001	BGCTOJMED3UBKLS	Counterfeit
7/17/18	MO06	62	None	SMGJAA27134	Counterfeit
1/04/19	MU06	47	586006-253	SMHHAA08380	Counterfeit
1/04/19	90W	50-60Hz	608428-001	BGCTOJMED3UBKLS	Counterfeit
12/05/19	90W	50-60Hz	709966-003	WCNXF0AAR5C33T	Counterfeit
12/05/19	CA09	100	718678-221	SMGJTJ04118	Counterfeit

12. I have reviewed photographs of the following products sold by eBay seller lol-electronic and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
4/26/19	NP03XL	43	760944-421	6EEERN2RY7H6W3	Counterfeit
12/05/19	65W	50-60Hz	709985-001	WBGST0A1R9O7PD	Counterfeit

13. I have reviewed photographs of the following products sold by eBay seller irelia_jt and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
11/9/17	65W	50-60Hz	677774-002	WACLP0AM3HYLAZ	Counterfeit
11/9/17	OA04	2620	740004-421	17G04TSOCR	Counterfeit
4/26/19	BP02XL	5150	849569-541	6ECNT04BB7XI27	Counterfeit
12/05/19	CM03XL	4290	716724-541	None	Counterfeit

14. I have reviewed photographs of the following products sold by eBay seller yolanda_dh1 and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
5/2/19	ME03XL	37	787089-421	68RSPC9874TEYT	Counterfeit
12/5/19	BP02XL	41	849569-541	6ECNT04BB7XI4V	Counterfeit

15. I have reviewed photographs of the following products sold by eBay seller shop-siker and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
9/29/17	65W	50-60Hz	463552-001	W92C40IC9BDEC8	Counterfeit
9/29/17	MU06	47	586006-253	SMGIAA16534	Counterfeit

16. I have reviewed photographs of the following products sold by eBay seller suntek-wireless and have determined that the products were not manufactured by HP, nor under its authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
11/10/17	65W	50-60Hz	463552-001	WCANLOLELXMCBD	Counterfeit
11/9/17	MU06	47	586006-253	201708SKTJ2012	Counterfeit

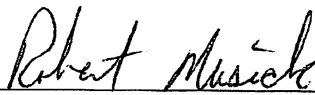
17. I have reviewed photographs of the following products sold by eBay seller Idallian and have determined that the products were not manufactured by HP, nor under its

authority:

Test Buy Date	Model Description	Wh/mAh	Part #	White Label #	Analysis
6/28/19	90W	50-60Hz	608428-001	YKPOLMG2IECJCB	Counterfeit
6/28/19	MU06	47	586006-253	SMHLAA28969	Counterfeit
12/5/19	MU06	47	586006-761	6DFDE01BB4CNX0	Counterfeit

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: 12/23/2019



Robert Musick

EXHIBIT 1

Int. Cls.: 2, 9 and 10

Prior U.S. Cls.: 11, 26, 38 and 44

Reg. No. 1,840,215

United States Patent and Trademark Office Registered June 21, 1994

**TRADEMARK
PRINCIPAL REGISTER**

HP

HEWLETT-PACKARD COMPANY (CALIFORNIA CORPORATION)
3000 HANOVER STREET
PALO ALTO, CA 94304

FOR: TONER CARTRIDGES, IN CLASS 2 (U.S. CL. 11).

FIRST USE 1-1-1941; IN COMMERCE 1-1-1941.

FOR: HOUSE MARK FOR COMPUTERS, COMPUTER SOFTWARE, DATA PROCESSING AND DATA STORAGE SYSTEMS AND PARTS THEREFOR; PRINTERS AND PARTS THEREFOR; ELECTRONIC TEST AND MEASUREMENT SYSTEMS AND PARTS THEREFOR; SEMICONDUCTORS; FACSIMILE MACHINES; ANALYTICAL INSTRUMENTS AND PARTS THEREFOR, IN CLASS 9 (U.S. CLS. 26 AND 38).

FIRST USE 1-1-1941; IN COMMERCE 1-1-1941.

FOR: HOUSE MARK FOR MEDICAL EQUIPMENT; NAMELY, ULTRASOUND IMAGING DEVICES; CARDIOVASCULAR, CARDIOGRAPHIC, RESPIRATORY, FETAL-MATERNAL MONITORING AND RECORDING INSTRUMENTS AND ATTACHMENTS THEREFOR; RESUSCITATION EQUIPMENT, IN CLASS 10 (U.S. CL. 44).

FIRST USE 4-1-1965; IN COMMERCE 4-1-1965.

OWNER OF U.S. REG. NO. 1,116,835.

SER. NO. 74-328,037, FILED 11-3-1992.

CYNTHIA GREER, EXAMINING ATTORNEY

Int. Cl.: 9

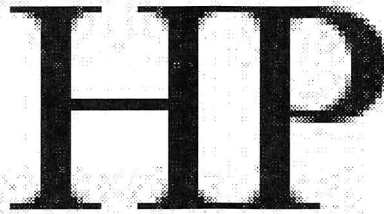
Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,412,631

United States Patent and Trademark Office

Registered Apr. 15, 2008

TRADEMARK
PRINCIPAL REGISTER

The image shows the HP logo, which consists of the letters 'H' and 'P' in a bold, serif font. The 'H' and 'P' are connected at the top and bottom, with the 'P' having a small loop at the top right.

HEWLETT-PACKARD DEVELOPMENT COMPAN-
NY, L.P. (TEXAS LIMITED PARTNERSHIP)
20555 STATE HIGHWAY 249
HOUSTON, TX 77070

FOR: PORTABLE MEDIA PLAYERS, NAMELY, ELECTRONIC DEVICES FOR RECORDING, ORGANIZING, TRANSMITTING, MANIPULATING AND REVIEWING TEXT, IMAGE AND AUDIO FILES; COMPUTER SOFTWARE FOR USE IN ORGANIZING, TRANSMITTING, MANIPULATING AND REVIEWING TEXT, IMAGE AND AUDIO FILES; PERSONAL VIDEO RECORDERS AND PLAYERS; TELEVISION RECEIVERS; COMPACT DISC RECORDERS AND PLAYERS; VIDEO DISC RECORDERS AND PLAYERS; OPTICAL DISC RECORDERS AND PLAYERS; COMPUTER MEDIA SERVERS AND COMPUTER THIN CLIENTS; COMPUTER HARDWARE; MULTIMEDIA KEYBOARDS; REMOTE CONTROLS FOR RECEIVERS, VIDEO AND AUDIO RECORDERS AND PLAYERS, TELEVISIONS; TELEVISIONS; FLAT PANEL TELEVISION AND DISPLAY MONITORS; VIDEO PROJECTOR; DIGITAL CAMERAS; TELEVISION TUNERS; DIGITAL VIDEO CAMERAS; LOUDSPEAKERS; SPEAKERS FOR PERSONAL COMPUTERS;

MICROPHONES; HEADPHONES; VIDEO TUNERS; COMPUTER SOFTWARE FOR CREATING AND INSCRIBING TEXT AND IMAGES ONTO OPTICAL RECORDING MEDIA; RECORDABLE AND REWRITABLE BLANK OPTICAL MEDIA; RECORDABLE AND REWRITABLE BLANK CDS AND DVDS, AND DRIVES AND WRITERS THEREFOR; COMPUTER DISK DRIVES; OPTICAL DISK DRIVES; DIGITAL IMAGING SOFTWARE AND PHOTO AND IMAGING SOFTWARE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-0-1997; IN COMMERCE 3-0-1997.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 614,803, 862,308, AND OTHERS.

SN 78-395,465, FILED 4-2-2004.

ELISSA GARBER KON, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

HEWLETT PACKARD

Reg. No. 5,209,742

Registered May 23, 2017

**Int. Cl.: 9, 16, 35, 36, 37,
38, 41, 42**

Service Mark

Trademark

Principal Register

Hewlett-Packard Development Company, L.P. (TEXAS LIMITED PARTNERSHIP)
11445 Compaq Center Drive West
Houston, TX 77070

CLASS 9: A house mark for computer hardware, computer servers, network servers, and computer peripherals; house mark for business, enterprise and information technology (IT) software; house mark for computer software in the fields of computer hardware and peripherals, servers, data storage, computer networks, cloud computing, hosting, automation, virtualization, databases, data centers, data warehouses, data analytics, enterprise services, business processes, business intelligence, information and knowledge management, e-commerce, security and risk management, software development, software lifecycle management, and technical support; computer networking hardware, computer data storage systems comprised of central processing units for processing and storing information, data, sound or images; and parts for the foregoing computer hardware, servers, network devices and computer peripherals; downloadable cloud computer software for use in enterprise, database management, and electronic storage of data; computer software for encryption and safeguarding digital files; computer software for application and database integration; computer software development tools; computer software for operating system programs; computer software for creating searchable databases of information and data; software development tools for the creation of mobile internet applications and client interfaces; computer e-commerce software to allow users to perform electronic business transactions via a global computer network; computer software to automate data warehousing

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 16: Brochures about technological developments in the field of computers and information technology; printed reference guides in the field of computers and information technology; technical bulletins in the field of computers and information technology

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 35: Business consulting services in the field of information technology; business management consulting services; strategic planning services for the information technology field; online retail store services and ordering services featuring computers, computer software, computer peripherals; business services, namely, assisting others in the negotiation and development of business partnerships and business alliances; marketing and promotional program services in the field of information and computer technology; database management services; business process outsourcing services in the field of information technology; customer relationship management services; electronic commerce services, namely, providing information about products and services via telecommunication networks for advertising and sale purposes; taxonomy services, namely, classification and organization of data for records management purposes; providing a website featuring an online marketplace for sellers and buyers of computer goods and services



Michelle K. Lee
Director of the United States
Patent and Trademark Office

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 36: Purchase financing and lease financing services; providing credit card transaction processing services for others; providing insurance claim processing services for others; financial analysis and consultation services for the organization and administration of banking and financial operations

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 37: Installation, maintenance and repair of computer hardware and telecommunications equipment

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 38: Telecommunications services, namely, transmission of voice, data, graphics, images, audio and video by means of telecommunications networks, wireless communication networks, and the internet; telecommunication consultation in the nature of technical consulting in the field of audio, text and visual data transmission and communication; providing online chat rooms, bulletin boards and forums for transmission of messages among users in the fields of information technology and general interest; streaming of video material on the internet; voice over internet protocol (voip) services; file sharing services, namely, electronic transmission of data via global computer networks

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 41: Educational and training services, namely, conducting classes, workshops, seminars and conferences in the field of computers, and information technology; online journals, namely, blogs featuring information in the fields of computers, and information technology

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 42: Computer services, namely, computer systems analysis, computer systems planning, computer systems integration and computer design; internet consulting services, namely, providing assistance to others in developing internet portals; computer security consulting services in the field of information technology; computer infrastructure hosting services, namely, infrastructure-as-a-service (iaas) providing computer hardware, computer software, computer peripherals to others on a subscription or pay-per-use basis; software-as-a-service; design, installation, maintenance and repair of computer software; integration of computer systems and networks; database development services; computer programming services; consulting services for others in the selection, implementation and use of computer software used to monitor and manage transactions and activities in a mission critical environment; technical support services, namely, service desk/help desk and troubleshooting services for it infrastructure, computer hardware, computer software and computer peripherals; data mining services; information management services, namely, acting as an application service provider in the field of knowledge management to host computer application software for the collection, editing, organizing, modifying, bookmarking, transmission, storage and sharing of data and information; custom design of computers for others; data backup and data restoration services; data migration services; data encryption services; computer services, namely, computer system administration for others; rental and leasing of computer hardware and computer peripherals; computer services, namely, cloud computing services in the nature of an asp provider over a distributed network of computers and servers that hosts the productivity and administrative software applications of others; cloud computing featuring software for use in database management; computer services, namely, integration of private and public cloud computing environments; computer services, namely, cloud hosting provider services; consulting services in the field of cloud computing; technical consulting services in the fields of datacenter architecture, public and private cloud computing solutions, and evaluation and implementation of internet technology and services; updating and maintaining cloud-based computer software through on-line updates, enhancements and patches; computer software consultancy; computer hardware and software design; computer services, namely, remote and on-site management of information technology (IT) systems and software applications of others; business technology software

development and consultation services; computer programming services for others in the field of software configuration management; consulting services in the field of software as a service; installation and maintenance of computer software; hosting the software and other computer applications of others on a virtual private server; electronic storage of digital content, namely, images, text, video and audio data

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 86-416,157, FILED 10-06-2014
JACQUELINE WIL ABRAMS, EXAMINING ATTORNEY

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

HEWLETT PACKARD

Reg. No. 5,311,758

Registered Oct. 17, 2017

**Int. Cl.: 9, 16, 35, 36, 37,
38, 41, 42**

Service Mark

Trademark

Principal Register

Hewlett-Packard Development Company, L.P. (TEXAS LIMITED PARTNERSHIP)
11445 Compaq Center Drive West
Houston, TEXAS 77070

CLASS 9: Apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers and recording discs; calculating machines; data processing equipment; computers; house mark for a full line of computer hardware and software; data processing apparatus; computer hardware; computer servers; network servers; Internet servers; computer networking and computer communications hardware; computer network routers, controllers, switches and wireless access point devices; computer storage hardware; computer storage servers; computer storage area network (SAN) servers; computer network-attached storage (NAS) hardware; computer and computer communications hardware for storage area networks; disk drive backup hardware; disk drives; disk drive arrays and enclosures; redundant array of independent disks (RAID) controllers; host bus adapters; data storage systems comprising computer hardware, computer peripherals and operating system software; integrated IT systems comprising computer, computer storage and networking hardware and software for converged infrastructure; modular IT systems comprising data processing apparatus, data storage modules, computer networking modules, power modules and internal computer cooling modules; computer peripherals; magnetic tape units for computers; blank tapes for storage of computer data; memory chips, namely, computer memories and computer memory hardware; semiconductors, printed circuit boards, integrated circuits; electronic components for computers; computer operating systems; computer operating systems, namely, computer software for operating computer hardware; network access server operating software; computer software for administration of computer networks; downloadable cloud computer software for use in cloud infrastructure management, data warehouse infrastructure management, database management and electronic storage of data; computer software for creating searchable databases of information and data; computer software for electronic storage of data; computer hardware and software for virtualization; computer software for configuration, provisioning, deployment, control, management and virtualization of computers, computer servers and data storage devices; software for computer network operation, management, automation and virtualization; computer software for software-defined networking; local area network (LAN) operating software; wide area network (WAN) operating software; computer software for connecting disparate computer systems, servers and storage devices; software for cloud infrastructure management and automation; computer software used for running cloud computing based applications; cloud computer software for use in enterprise applications, database management, and electronic storage of data; computer software for monitoring cloud, web and application performance; computer software for information technology (IT) management, IT infrastructure management, remote IT infrastructure management, IT asset management and inventory, IT process automation, IT device lifecycle management, IT security, IT reporting and forecasting, IT infrastructure fault and performance monitoring; computer software for managing IT service desk and IT help desk services; computer software for data protection and data security; computer software for providing security for computers, networks and electronic communications; computer network security software; computer software for monitoring computer network access and activity; computer software for assessing application security; data and document encryption and decryption software; cryptography software; computer user authentication software; software for information security compliance monitoring, reporting and analytics; IT security intelligence and risk management software; data backup, recovery and archiving software; computer software for data deduplication; database management software; computer software



Joseph Matal

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

used to read and evaluate content located on global computer networks, databases and/or networks; computer software for application and database integration; data search software, namely, software for creating searchable database of data; computer search engine software; software for searching databases; computer software for creating searchable databases of information and data; computer data warehouse operation and automation software; data center operation and automation software; computer software for data transmission, storage, processing and reproduction; computer software for accessing, querying and analyzing information stored in databases and data warehouses; information and knowledge management software for knowledge capture and management; business intelligence software; computer software that provides real-time, integrated business management intelligence by combining information from various databases; business analytics software for collecting and analyzing data to facilitate business decision making; computer software for use in big data analysis; computer software that automates the processing of un-structured, semi-structured and structured information and data stored on computer networks and the Internet; software for business organization and business process virtualization and management; enterprise resource planning (ERP) software; software for business risk management; project portfolio management (PPM) software; records management software; computer e-commerce software to allow users to perform electronic business transactions via a global computer network; software development tools; computer software for computer system and application development, deployment and management; software development tools for the creation of mobile Internet applications and client interfaces; software development tools, namely, software for testing software applications; product lifecycle management software; software-defined infrastructure software, namely, software for virtualization; computer software that provides web-based access to applications and services through a web operating system or portal interface

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 16: Printed matter, namely, magazines, printed periodicals, books, newsletters, brochures and journals in the field of computers, computer software and information technology; printed instructional and teaching materials in the field of computers, computer software and information technology; brochures about technological developments; printed reference guides and technical bulletins in the field of computers and information technology; printed product operating and service guides for computers and computer peripherals

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 35: Business management; business administration; providing office functions; business management consulting services; business consulting services in the field of information technology (IT); business consultation services in the field of business process improvement and outsourcing; business consultation services in the field of enterprise architecture; IT outsourcing services; business process outsourcing; business strategic planning services in the field of information technology; asset management services, namely, reporting on service histories, utilization of the IT assets, end of product life information and replacement costs all related to IT equipment; compilation and systemization of information into computer databases; database management services; online retail store services and ordering services featuring computer hardware, software and peripherals; business services, namely, assisting others in the negotiation and development of business partnerships and business alliances; marketing and promotional program services in the field of information and computer technology; customer relationship management services; business records management, namely, classification and organization of data for records management purposes; providing a website featuring an online marketplace for sellers and buyers of computer and IT goods and services; business knowledge management services; business data analysis; business risk management consultation

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 36: Insurance claims processing; insurance claims administration; insurance consultancy; insurance information; insurance services, namely, underwriting extended warranty contracts in the field of information technology; insurance services, namely, writing property insurance; financial affairs and monetary affairs, namely, financial information, management and analysis services; financing of purchases and lease- purchase financing;

providing lease financing for IT equipment and computer software; financial analysis and consultation services for the organization and administration of banking and financial operations; financial risk management consultation

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 37: Repair and installation of information technology (IT) equipment; installation, maintenance and repair of computers and computer, networking and telecommunications hardware

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 38: Telecommunications services, namely, transmission of voice, data, graphics, images, audio and video by means of telecommunications networks, wireless communication networks, and the Internet; information transmission via electronic communications networks; providing secure real time electronic communication over a computer network; providing virtual private network services, namely, private and secure electronic communications over a private or public computer network; telecommunications consultation; providing online chat rooms, electronic bulletin boards and forums for transmission of messages among users in the fields of computers, software, information technology and general interest; streaming of audio and video material on the Internet; voice over Internet protocol (VOIP) services; electronic transmission of data via global computer networks

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 41: Educational and training services, namely, conducting classes, workshops, seminars and conferences in the field of computers, software, and information technology; online journals, namely, blogs featuring information in the fields of computers, software, and information technology

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

CLASS 42: Scientific research and development; research and development of new products for others; research and development of software; research and development in the field of information technology; design and development of computer hardware and software; computer systems analysis; planning, design and implementation of computer technologies for others; computer systems integration services; computer system administration for others; rental and leasing of computer hardware and computer peripherals; computer consulting services; computer consultation services, namely, advice on designing, selecting, and using computer hardware and systems; computer software consultancy; technological consultation in the field of selection, implementation and use of computer software; consulting services in the field of software as a service; Internet consulting services, namely, technical consulting services in the fields of datacenter architecture, public and private cloud computing solutions, and evaluation and implementation of Internet technology and services ; information technology (IT) consulting services; consulting in the field of IT and applications transformation, integration, modernization, migration, design, development, implementation, testing, optimization, operation and computer project management; consulting in the field of cloud computing and big data analytics; technical consulting services in the field of cloud infrastructure; technical consulting services in the fields of datacenter architecture, public and private cloud computing solutions, and evaluation and implementation of Internet technology and services; consulting in the field of development of security systems and contingency planning for information systems; consulting in the field of computer security; computer consultation in the field of computer data security; IT consulting in the nature of consulting in the field of IT mobility and workplace services; technological consultation in the technology field of unified communications hardware and software; IT consulting in the nature of consulting with respect to the IT aspects of business processes; IT consulting in the fields of customer relationship management, finance and administration; consulting services in the field of computer-based information systems for businesses; computer consultation services in the field of application delivery management; computer consulting in the field of web marketing optimization applications; IT consulting in the field of converged IT systems; IT consulting in the fields of IT converged and hyper-converged IT infrastructure; IT consulting in the field of utility industry services and operations; IT consulting in the environmental and

energy efficiency fields ; scientific and technological services, namely, research and design in the field of computer networking hardware and computer datacenter architecture; technical consulting services in the field of datacenter architecture; providing temporary use of on-line non- downloadable cloud computing software for use in database management and electronic storage of data; computer hardware and software design and development; computer programming services; software application development, modernization and cloud integration; software installation, maintenance and update services; consulting services in the field of testing the operation and functionality of computers, computer networks and software; business technology software development and consultation services; computer programming services for others in the field of software configuration management; updating and maintaining cloud-based computer software through on-line updates, enhancements and patches; computer technical support services, namely, help desk services for IT infrastructure, computer hardware, computer software, computer peripherals and computer networks; computer technical support services, namely, service desk services for IT infrastructure, operating systems, and business and web applications; technical support services, namely, troubleshooting of computer software problems; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; technical support services, namely, migration of datacenter, server and database applications; technical support services, namely, monitoring of computers, network systems, servers and web and database applications, and notification of related events and alerts; technical support services, namely, remote real- time computer and network monitoring services; technical support services, namely, remote and on-site infrastructure management services for monitoring, administration, and management of public and private cloud computing IT and application systems; consulting services in the field of cloud computing; cloud hosting provider services; hosting software applications for others; cloud hosting of electronic databases; cloud and computer infrastructure hosting services; computer services, namely, providing virtual and non-virtual application servers, web servers, file servers, redundancy servers, and database servers of variable capacity to others; rental of computing and data storage facilities of variable capacity, namely, virtual and non-virtual application servers, web servers, file servers, redundancy servers, and database servers, to third parties; computer infrastructure hosting services, namely, providing computer hardware, computer software, computer peripherals to others on a subscription or pay- per-use basis; providing virtual computer systems and virtual computer environments through cloud computing; computer services, namely, integration of private and public cloud computing environments; computer services, namely, remote and on-site management of information technology (IT) systems and software applications for others; cloud computing featuring software for use in database management; database development services; rental of space in a computer co-location facility for containerized data centers of others; data mining services; data backup and data restoration services; data migration services; data encryption and decryption services; cloud computing featuring software for use in database management and data warehousing; electronic data storage; Infrastructure- as-a-service in the nature of technical support services, namely, remote and on-site infrastructure management services for monitoring, administration and management of public and private cloud computing IT and application systems; temporary use of non-downloadable software for computer and network operation, management, automation, virtualization, configuration, provisioning, deployment, and control; temporary use of non-downloadable software for information technology (IT) management, IT infrastructure management, remote IT infrastructure management, IT asset management and inventory, IT process automation, IT device lifecycle management, IT security, IT reporting and forecasting, IT infrastructure fault and performance monitoring, and facilitating IT user service desk and help desk functions; temporary use of non-downloadable software for data protection, data security, and computer application and network security; temporary use of non-downloadable software for information security regulatory compliance; temporary use of non- downloadable software for monitoring computer network access and activity; temporary use of non-downloadable software for data encryption and decryption, cryptography, computer user authentication, and information security compliance monitoring, reporting and analytics; temporary use of non-downloadable software for data backup, recovery, archiving and deduplication; temporary use of non- downloadable software for cloud infrastructure management and automation; temporary use of non- downloadable software for cloud, web and application performance monitoring; temporary use of non-downloadable software for database and database management, data warehouse operation and automation, data center operation and automation, application and database integration, data

transmission, storage, processing and reproduction, and for accessing, querying and analyzing information stored in databases and data warehouses; temporary use of non-downloadable software for business intelligence, business process insight, data analytics, information management, knowledge management, customer relationship management, and enterprise resource and risk management; temporary use of non-downloadable software for storing, managing, tracking, and analyzing business data; temporary use of non-downloadable search engine software and software for project and records management; temporary use of non-downloadable software for software development, deployment, testing, delivery and application lifecycle management; temporary use of non-downloadable software for converged IT systems management; temporary use of non-downloadable software-defined infrastructure software for virtualizing and managing computers, computer hardware, computer software, servers, computer networks and data storage; temporary use of non-downloadable software in fields of converged and hyper-converged IT infrastructure for virtualizing and managing computers, computer hardware, computer software, servers, computer networks and data storage; Software as a Service services, namely, hosting cloud and datacenter infrastructure software for use by others for use in database management; temporary use of non-downloadable software for managing software licenses; electronic storage of digital content, namely, images, text, video and audio data; file sharing services, namely, providing a website featuring technology enabling users to upload and download electronic files

FIRST USE 3-30-2017; IN COMMERCE 3-30-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

SER. NO. 86-522,684, FILED 02-03-2015

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

Int. Cls.: 9 and 10

Prior U.S. Cls.: 26, 38 and 44

United States Patent and Trademark Office

Reg. No. 1,842,724

Registered July 5, 1994

**TRADEMARK
PRINCIPAL REGISTER**



HEWLETT-PACKARD COMPANY (CALIFORNIA CORPORATION)
3000 HANOVER STREET
PALO ALTO, CA 94304

FOR: HOUSE MARK FOR COMPUTERS, COMPUTER SOFTWARE, DATA PROCESSING AND DATA STORAGE SYSTEMS AND PARTS THEREFOR; PRINTERS AND PARTS THEREFOR; ELECTRONIC TEST AND MEASUREMENT SYSTEMS AND PARTS THEREFOR; SEMICONDUCTORS; FACSIMILE MACHINES; ANALYTICAL INSTRUMENTS AND PARTS THEREFOR, IN CLASS 9 (U.S. CLS. 26 AND 38).

FIRST USE 1-1-1980, FIRST USED IN ANOTHER FORM ON JANUARY 1, 1941; IN COMMERCE 1-1-1980, FIRST USED IN COMMERCE IN ANOTHER FORM ON JANUARY 1, 1941.

FOR: HOUSE MARK FOR MEDICAL EQUIPMENT; NAMELY, ULTRASOUND IMAGING DEVICES; CARDIOVASCULAR, CARDIOGRAPHIC, RESPIRATORY, FETAL-MATERNAL MONITORING AND RECORDING INSTRUMENTS AND ATTACHMENTS THEREFOR; RESUSCITATION EQUIPMENT, IN CLASS 10 (U.S. CL. 44).

FIRST USE 1-1-1980, FIRST USED IN ANOTHER FORM ON MAY 27, 1966; IN COMMERCE 1-1-1980, FIRST USED IN COMMERCE IN ANOTHER FORM ON MAY 27, 1966.

OWNER OF U.S. REG. NOS. 614,803, 862,308 AND OTHERS.

SER. NO. 74-328,107, FILED 11-3-1992.

CYNTHIA GREER, EXAMINING ATTORNEY